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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,209	09/08/2003	Martin Fischer	7781.0085-00	7498

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EXAMINER

KIM, HONG CHONG

ART UNIT	PAPER NUMBER
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2185

DATE MAILED: 02/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/656,209

Applicant(s)

FISCHER ET AL.

Examiner

Hong C. Kim

Art Unit

2185

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 16-19, 31 and 33-36 is/are rejected.
- 7) ☒ Claim(s) 5-15, 20-30, 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/8/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/15/04</u> . | 6) <input type="checkbox"/> Other: _____ |

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Detailed Action

1. Claims 1-36 are presented for examination. This office action is in response to the application filed on 9/8/2003.

Information Disclosure Statement

2. The information disclosure statement filed on 4/15/2004 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the submitted IDS, Datenarchivierung mit SAP, is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1). Applicants are requested to submit an English translation copy of Datenarchivierung mit SAP.

The examiner requests, in response to this Office action, any reference(s) known to qualify as prior art under 35 U.S.C. sections 102 or 103 with respect to the invention as defined by the independent and dependent claims. That is, any prior art (including any products for sale) similar to the claimed invention that could reasonably be used in a 102 or 103 rejection. This request does not require applicant to perform a search.

This **request** is not intended to interfere with or go beyond that **required** under 37 C.F.R. 1.56 or 1.105.

The request may be fulfilled by asking the attorney(s) of record handling prosecution and the inventor(s)/assignee for references qualifying as prior art. A simple statement that the query has been made and no prior art found is sufficient to fulfill the request. Otherwise, the fee and certification requirements of 37 CFR section 1.97 are waived for those documents submitted in reply to this request. This waiver extends only to those documents within the scope of this request that are included in the application's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this request and any information disclosures beyond the scope of this are subject to the fee and certification requirements of 37 CFR section 1.97.

In the event prior art documentation is submitted, a discussion of relevant passages, figs. etc. with respect to the claims is requested. The examiner is looking for specific references to 102/103 prior art that identify independent and dependent claim limitations. Since applicant is most knowledgeable of the present invention and submitted art, his/her discussion of the reference(s) with respect to the instant claims is essential. **A response to this inquiry is greatly appreciated.**

The examiner also requests, in response to this Office action, support be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to

page(s) and line number(s), in the specification and/or drawing figure(s). This will assist the examiner in prosecuting the application.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The title should be more specific to differentiate the invention from similar inventions in the patent literature. The deleting the first type ID from the first lock object and deleting the second type ID from the second lock object aspects of the invention should be mentioned in the title so that the title is more descriptive.

4. Applicants are requested to include the status of the related Foreign or U.S. applications or patents in the CROSS-REFERENCE TO RELATED APPLICATIONS section and in any other corresponding area in the specification accordingly (e.g., U.S. Patent Application Serial No. ###/###,### filled Sept. 07, 1990, now abandoned; ..., now U.S. Patent #,###,### issued Jan. 01, 1994; or This application is a continuation of Serial Number ###/###,###, filed on December 01, 1990, now abandoned; ...etc.).

Drawings

5. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the assigning an identifier (ID) of a first type to the selected data object; assigning an ID of a second type

to the selected data object; storing the first type ID in a first lock object; storing the second type ID in a second lock object; deleting the first type ID from the first lock object after the storing of the data object in the second storage location has been completed; and deleting the second type ID from the second lock object after the storing of the data object in the second storage location has been completed must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

6. Claim 36 is objected to because of the following informalities: it is unclear what "the at least on ID" refers to. Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claim 31-34 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. As to claim 33, carrier wave is not a tangible embodiment. As such, the claim is not statutory. As to claim 31, after "instructions" -- when executing by a processor-- should be added. See MPEP 2106.

Claim Rejections - 35 USC ' 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 36, 1-4, 16-19, 31, 33, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richard US Patent Pub. No. 2001/0056425 in view of Nakano et al. (Nakano) US Patent Pub. No. 2003/0004975.

As to claim 36, Richard discloses a method for moving a data object in a computer system from a first to a second storage location (Fig. 1), the method comprising: a) selecting a data object having an identifier (ID) from the first storage location (block 41); b) storing the at least one ID in a first lock object (block 38); storing the at least one ID in a second lock object (blocks 38 and 63); d) storing the data object at the second storage location (block 48); and e) deleting the data object from the first storage location (block 66 last paragraph); and however, Richard does not specifically disclose deleting the at least one ID from the first lock object after the data object has been stored at the second storage location.

Nakano discloses deleting the at least one ID from the first lock object after the data object has been stored at the second storage location (block 72) for the purpose of providing data coherency between two storages..

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate deleting the at least one ID from the first lock object after the data object has been stored at the second storage location as shown in Nakano into the invention of Richard for the advantages stated above.

As to claims 1, 16, 31, 33, 34, and 35, Richard discloses a method for moving a method for moving a data object in a computer system from a first to a second storage location (Fig. 1), the method comprising: a) selecting a data object from the first storage location (block 41); b) assigning at least one identifier (ID) to the selected data object (block 41); c) storing the at least one ID in at least one lock object (block 38); d) storing

the data object at the second storage location and associating the second storage location with the at least one ID in the at least one lock object (blocks 38 and 63); and e) deleting the data object from the first storage

Location (block 66 last paragraph), however, Richard does not specifically disclose deleting the at least one ID from the at least one lock object after the storing of the data object in the second storage location has been completed.

Nakano discloses deleting the at least one ID from the at least one lock object after the storing of the data object in the second storage location has been completed (block 72) for the purpose of providing data coherency between two storages..

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate deleting the at least one ID from the at least one lock object after the storing of the data object in the second storage location has been completed as shown in Nakano into the invention of Richard for the advantages stated above.

As to claims 2 and 17, Richard and Nakano disclose the invention as claimed above. Richard further discloses wherein the data object comprises one or more fields of one or more tables (block 38 FAT reads on this limitation) and wherein the at least one ID comprises one or more key fields of the one or more tables (block 38 security attributes read on this limitation).

As to claims 3, 4, 18, and 19, Richard and Nakano disclose the invention as claimed above. Richard further discloses storing the second storage location in the at least one lock object (block 38).

Allowable Subject Matter

9. Claims 5-15, 20-30, and 32, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and overcome claim objections and rejections.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached PTO-892.
2. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 USC 133, MPEP 710.02, 710.02(b)).
3. When responding to the office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must also show

how the amendments avoid such references or objections. See 37 C.F.R. ' 1.111(c).

4. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist examiner to locate the appropriate paragraphs.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Kim whose telephone number is (571) 272-4181. The examiner can normally be reached on M-F 9:00 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim can be reached on (571) 272-4182. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 whose telephone number is (571) 272-2100.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

7. **Any response to this action should be mailed to:**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to TC-2100:
571-273-8300

Hand-delivered responses should be brought to the Customer Service Window (Randolph Building, 401 Dulany Street, Alexandria, VA 22314).

HK
Primary Patent Examiner
February 15, 2006

